HIGH COURT OF UTTARANCHAL AT-NAINITAL

Habeas Corpus Petition no. 06 of 2005

Meera Devi D/o Sri Suresh Kumar,
R/o Baseri Khaddar, Near Diesel Pump, Laksar,
Haridwar, District Haridwar,
Through her husband Anil Kumar. .....Peititoner.

Vs.

1. State of Uttranchal,
   through Secretary Home, Civil Secretariat,
   Dehradun,
2. Suresh Kumar S/o Sri Ratan Singh,
   R/o Mundakhera Kalan, P.O. Praper, Laksar,
   District Haridwar.
3. Shyam Lal S/o Sri Ratan Singh,
   R/o Mundakhera Kalan, P.O. Praper, Laksar,
   District Haridwar,
4. Raju S/o Sri Shyam Lal,
   R/o Mundakhera Kalan, P.O. Praper, Laksar,
   District Haridwar. .....Respondents.

Sri Lokendra Dobhal, learned counsel for the petitioner
Learned A.G.A. for the State,
Sri Parikshit Saini, for the respondent no. 2 to4.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri Lokendra Dobhal, learned counsel for the petitioner, learned A.G.A. for the State and Sri Pariskshit Saini, learned counsel for respondent no. 2 to 4.

This Habeas Corpus writ petition has been moved on behalf of the petitioner with the prayer commanding the respondent no. 2 to 3 (father, uncle and cousin brother of petitioner Meera Devi respectively) to set the petitioner at her liberty.

This petition was filed by Sri Anil Kumar on behalf of the petitioner claiming himself to be the husband of Meera Devi with the allegations that Meera Devi is his wife; she is major as her date of birth is 3rd July 1980 and he got married with her on 14.02.2005. it has been alleged that the respondent nos. 2 to 4 have illegally detained the girl in their house against her wishes.

Consequently, on 06.04.2005, the respondents were directed to produce the girl- Meera Devi before this Court on 20.05.2005.

On 20.04.2005 Sri Parikshit Saini, Adv. Who has put in appearance on behalf of respondent no. 2 to 4 has prayed sometime to produce the girl before this Court, accordingly the respondent nos. 2 to 4 were further directed to produce Meera Devi before this Court on 26.04.2005.

The petitioner, namely, Meera Devi D/o Sri Suresh Kumar is present today before the Court alongwith her father Sri Suresh Kumar, her uncle Sri Shyam Lal and her cousin brother Sri Raju. S.I. Pankaj Deorani posted at p.s. Laksar who was asked to produce the petitioner before the court, is also present in the Court.

The girl Meera Devi, was put forward under the aforesaid questionnaire, after administering her oath by the Court. The girl has deposed on oath as under:-

Question 1-What is your name?

Ans. - My name is Meera Devi.

Question 2-What is your father's name?

Ans. - My father's name is Sri Suresh Kumar.

Question 3-How old are you?

Ans. I am 26 years' old.

Question 4-What is your qualification?

Ans. - I have passed B.A.

Question 5-Where are you living at present?

Ans. - At present I am living with my parents at Mundakhera Kalan, P.O. Praper, Laksar, District Haridwar.

Question 6-Whether you are living with your parents against Your will?

Ans. - No. I am living with them on my own will.

Question 7-Whether you are detained by your parents in their House?

Ans. - No.

Question 8-Have you got married with Anil Kumar?

Ans. - No.

Question 9-Where do you want to live now?

Ans. - I want to live with my parents in their house.

From the statement made by the girl, it does not reveal that the girl was detained by her parents in their house against her will.

Keeping in view the aforesaid statements made on oath by the girl, there remains no cause to keep the petition pending.

The Habeas Corpus petition is dismissed.

Notices issued earlier in the matter are discharged.

(M.M. Ghildiyal, J.)

Nainital:
April 26, 2005
NCM: